

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNITED STATES OF AMERICA §
§
V. § CASE NO.2:10-CR-3(1) TJW-CE
§
§
RICHARD W. MCFARLAND, JR. §

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
FINDING DEFENDANT GUILTY**

On this day, the court considered the Findings of Fact and Recommendation of United States Magistrate Judge Charles Everingham IV regarding Defendant's plea of guilty and allocution to Count 1 of an information with a violation of 18 U.S.C. § 1341, Mail Fraud. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the court accept the guilty plea of the Defendant. No Objections were filed to the Findings of Fact and Recommendation. The court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed March 30, 2010, are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the court finds Defendant GUILTY of Count 1 of an information in the above-numbered cause.

SIGNED this 9th day of June, 2010.

T. John Ward
T. JOHN WARD
UNITED STATES DISTRICT JUDGE